

Development Center to meet population cuts despite court order

By MARY BETH PFEIFFER

A state official predicted yesterday that the goal to reduce the population of the Staten Island Developmental Center to 250 by 1981 would "absolutely" be met, despite a court order allowing the state to cut the number of monthly discharges in half.

The order, signed Friday by Brooklyn federal Judge John R. Bartels, allows the state to reduce the number of Willowbrook residents placed in community settings from 100 a month to 50 until April 1979. The effort to depopulate Willowbrook has been lagging far behind mandated levels, with only 146 of a required 575 clients placed in the last six months.

But while state officials were optimistic that the terms of the so-called Willowbrook Consent Decree, which ordered the depopulation of "warehouses" for the mentally retarded like Willowbrook, would be met, there were predictions that the placement effort would drag on into the middle and possibly late 1980s.

Charging that the state should already have placed more than double the 963 ex-Willowbrook residents now living in

the community, Christopher A. Hanse, an attorney for the New York Civil Liberties Union, said: "The state is not doing everything it can to stick to the schedule."

"I'm very unpersuaded by virtually all of the arguments" to reduce the number of placements monthly, said Hansen, who has been at the forefront to change conditions at Willowbrook since the early 1970s. He added that the state would "easily" miss the 1981 deadline and the depopulation of the developmental center would extend "into the mid-80s and maybe later."

But Jennifer Howse, an associate commissioner for the state Office of Mental Retardation and Developmental Disabilities, said yesterday the placement effort, which saw only 13 of a mandated 100 residents placed in the community last month, would "gear up in the next two-and-a-half years."

Dr. Howse, who directs the community placement effort at six metropolitan area developmental centers, blamed the delays on "negative community reaction" to group homes for the retarded and on contractors, who renovate homes to facilitate the retarded, not living up

to agreements. "That accounts for about 35 percent of our problems," she said.

"We can document that if everything worked out the way it is supposed to... we could make the 50 placements a month," Dr. Howse said. The placement effort, she added, becomes more complicated as it progresses, with the most advanced residents placed in the community first and more severely retarded persons following.

"That requires more complicated renovations of houses and more problems with contractors," she said.

The effort to step up deinstitutionalization will include soliciting private agencies to develop a number of group homes simultaneously, rather than one at a time, she said.

Carol Kellerman, an attorney for the Legal Aid Society, which also has been involved in the court battle to improve conditions for the retarded, agreed with

Hansen that there is "no way" that the 1981 deadline can be met at current rates.

"I don't buy the idea that they have done all they could," she said, adding that she had suggested that the judge impose a \$1,000 penalty for every resident under the mandated 50 that the state fails to place in the community monthly. The court, however, declined.

Attorneys for plaintiffs in the Willowbrook case also argued in Brooklyn Federal Court Friday that the state has failed to conform to minimum staffing requirements established by the court.

According to a staffing audit conducted last February by the Willowbrook Review Panel, an independent body that monitors the conditions at Willowbrook and the community placement of residents, there was insufficient direct-care staff on wards 34 percent of the time. Additionally, the audit concluded there

was insufficient mid-level supervisory personnel 55 percent of the time.

The state's Dr. Howse, who was head of the panel when the audit was taken, said the state was planning to hire 33 supervisors but had not worked out the number of direct-care staffers that would be needed.

Kathleen Schwaninger, who now

heads the review panel, said yesterday the panel feels that 33 will probably be "inadequate" and 50 to 65 more supervisors are needed. As for direct-care staffers, she said she had insufficient information to conclude how many more were needed to care for residents.

Bartels reserved decision on the staffing issue until Sept. 28.